

CITY OF VANCOUVERSPECIAL COUNCIL - MAY 4, 1978PUBLIC HEARING

A Special Meeting of the Council of the City of Vancouver was held on Thursday, May 4, 1978, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to amend the Zoning and Development By-law.

PRESENT: Deputy Mayor Ford
Aldermen Brown, Ford, Harcourt,
Marzari, Puil and Rankin

ABSENT: Mayor Volrich (Civic Business)
Aldermen Bellamy, Gerard, Gibson
and Kennedy (Leave of Absence)

CLERK TO THE COUNCIL: H. Dickson

COMMITTEE OF THE WHOLE

MOVED by Ald. Rankin,
SECONDED by Ald. Marzari,

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Ford in the Chair, to consider proposed amendments to the Zoning and Development By-law.

- CARRIED UNANIMOUSLY

To aid the public present for the hearing, the Clerk read from the agenda that the Council had before it.

1. Proposed Rezoning of the Former C.P.R.
Right-of-Way, Kitsilano Point

An application was received from Mr. B.H. Kennedy of Marathon Realty Company Limited to rezone Lots A-H, inclusive, D.L. 526, Plan 15855, (being that portion of the former C.P.R. Right-of-Way in Kitsilano Point between Arbutus and Cypress Streets, approximately 300 feet north of Cornwall Avenue)

From: RS-1 One-Family Dwelling District
To: RT-2A Two-Family Dwelling District.

The Director of Planning recommended approval subject to the following conditions:

1. That the owner (s) first dedicate to the City an easement for the sewer along the north side of Lots A,B,C and D, D.L. 526, Plan 15855, with a minimum width of 6 feet, such easement to be to the satisfaction of the City Engineer.
2. That the owner (s) first pay to the City 50% of the total sewer construction costs, this construction to be undertaken by the City of Vancouver and completed within 60 days of registration of the easement noted in Condition 1 above.
3. That the owner (s) make arrangements with B.C. Telephone Company to underground the B.C. Telephone Company trunk service at no cost to the City and that this work be completed prior to enactment of the amending by-law.
4. That the owner (s) pay to the City a sum equal to the City's one-third share of undergrounding the B.C. Hydro Line on Creelman Avenue subject to the project being first approved under the "Power and Telephone Line Beautification Fund Act" and completed.

Cont'd...

Proposed Rezoning of the Former C.P.R.
Right-of-Way, Kitsilano Point (cont'd)

5. That Council resolve to make an application under the Provincial "Power and Telephone Beautification Fund Act" to underground the B.C. Hydro Line on Creelman Avenue.
6. That the owner (s) first give to the City \$21,600 to be used for a neighbourhood project in Kitsilano Point, such project to be first approved by City Council upon advice from the Director of Planning following consultation with residents and property owners in Kitsilano Point.
7. Should the above conditions 1-4, inclusive, and 6 not be complied with by the owner (s) within 365 days from the date of the Public Hearing, then any approval granted at the Public Hearing shall expire.

Mr. B.H. Kennedy of Marathon Realty Company Limited further applied to rezone Lots I and J, D.L. 526, Plan 15855, (being that portion of the former C.P.R. Right-of-Way in Kitsilano Point between Cypress and Chestnut Streets, approximately 300 feet north of Cornwall Avenue)

From: RS-1 One-Family Dwelling District
To: CD-1 Comprehensive Development District.

The proposed CD-1 By-law would restrict the form of development as follows:

- Uses: - townhouses (not to exceed 5 dwelling units on each of Lots I and J, D.L. 526, Plan 15855);
- customarily ancillary uses, including off-street parking;

subject to such conditions as Council may by resolution prescribe.

Floor Space Ratio: The floor space ratio shall not exceed 1.25 on each of Lots I and J, D.L. 526, Plan 15855. In computing the floor space ratio, all floors, whether earth floors or otherwise (with ceilings more than 4 feet in height) of all buildings shall be included, both above and below ground (measured to the extreme outer limits of the buildings) except parking areas, the floor of which is at or below the highest point of the finished grade around the building. For the purpose of this section the gross cross-sectional areas of stairways, fire escapes, elevator shafts, chimneys and any other services which, in the opinion of the Director of Planning, are similar to the foregoing, shall be included as floor area at each floor at which they are located; balconies, canopies, sun decks and any other appurtenances which, in the opinion of the Director of Planning are similar to the foregoing, may be excluded from floor area measurement provided the total floor area of all such excluded items does not exceed 8 per cent of the permitted floor area. Patios and roof gardens also may be excluded from floor area measurement provided that any sunroofs or walls forming part thereof are approved by the Director of Planning.

Height: The height of any building shall not exceed three storeys plus cellar nor 30 feet measured from the average building grade as determined by the City Engineer.

Cont'd...

Proposed Rezoning of the Former C.P.R.
Right-of-Way, Kitsilano Point (cont'd)

Off-Street: A minimum of one off-street parking space per
Parking: unit shall be provided and maintained in
accordance with Section 12 of Zoning and
Development By-Law No. 3575.

and subject to the following conditions:

1. That the owner (s) first dedicate to the City an easement for the sewer along the north side of Lots A,B,C and D, D.L. 526, Plan 15855, with a minimum width of 6 feet, such easement to be to the satisfaction of the City Engineer.
2. That the owner (s) first pay to the City 50% of the total sewer construction costs, this construction to be undertaken by the City of Vancouver and completed within 60 days of the easement noted in Condition 1 above.
3. That the owner (s) make arrangements with B.C. Telephone Company to underground the B.C. Telephone Company trunk service at no cost to the City and this work to be completed prior to enactment of the amending by-law.
4. That the owner (s) pay to the City a sum equal to the City's one-third share of undergrounding the B.C. Hydro Line on Creelman Avenue subject to the project being first approved under the "Power and Telephone Line Beautification Fund Act" and completed.
5. That Council resolve to make an application under the Provincial "Power and Telephone Line Beautification Fund Act" to underground the B.C. Hydro Line on Creelman Avenue.
6. That the owner (s) first give to the City \$5,400 to be used for a neighbourhood project in Kitsilano Point, such project to be first approved by City Council upon advice from the Director of Planning following consultation with residents and property owners in Kitsilano Point.
7. That the detailed scheme of development in a Development Permit Application be first approved by the Director of Planning following advice from the Urban Design Panel, having due regard to the overall design, provision and maintenance of landscaping, vehicular ingress and egress, off-street parking, garbage collection and provision of useable outdoor space.
8. The form of development is not to be materially different from the plans prepared by Zoltan S. Kiss, Architect, dated June 19, 1975, and stamped "Received City Planning Department, August 22, 1977".
9. Should the above conditions 1-4, inclusive, and 6-8, inclusive, not be complied with by the owner (s) within 365 days from the date of the Public Hearing, then any approval granted at the Public Hearing shall expire.

Amend the Sign By-Law No. 4810 to provide for sign control should the proposed CD-1 By-Law be enacted by Council.

- Any Consequential Amendments.

Cont'd...

Proposed Rezoning of the Former C.P.R.
Right-of-Way, Kitsilano Point (cont'd)

The Director of Planning recommended approval of the application.

Mr. R. Youngberg of the Planning Department, reviewed the history of the application and gave a brief verbal explanation of the rezoning application pointing out that if rezoned, lots A-H only would then have a similar zoning to all those properties located to the north. He advised Council that the applicants, Marathon Realty, had been advised by B.C. Telephone Company that in respect of condition No. 3, the Telephone Company would like to have its trunk service undergrounded along Creelman Avenue.

The Deputy Mayor enquired of representatives from Marathon Realty if they wished to give any verbal submission at this time and Mr. B.H. Kennedy responded that he was in attendance to answer any questions.

The Deputy Mayor called for speakers for or against the application and representations were received as follows:

- Ms. Lillian Coade, 1420 Arbutus Street, questioned the height limitations, the floor space ratio and the parking requirements of the proposed rezoning.
- Mr. M.P. Tonstad, 1363 Chestnut Street, advised that he was the owner of one of six townhouses immediately north of subject Lot J and said the development he lives in has a lower density and has underground parking with two car parking spaces per unit. He expressed concern that the height allowed in the proposed rezoning could adversely affect the development he lives in and that insufficient parking is provided in the proposed rezoning. Mr. Tonstad further pointed out the property is for sale and therefore could be developed by some company other than Marathon Realty.

Mr. B.H. Kennedy of Marathon Realty, in response to Mr. Tonstad's comment and a question from Council, advised that his company is planning to sell the subject property and does not wish to develop it.

- Mr. John R. Pelkovics, Kitsilano Point Property Owners representative, expressed dissatisfaction on the proposed parking ratio of one space per unit pointing out there are often two cars owned by the residents of each apartment unit. He expressed concern over the setbacks of the buildings and indicated skepticism on whether the condition that the B.C. Hydro line be placed underground on Creelman Avenue would proceed, as this involves two levels of government as well as B.C. Hydro.
- Mr. Hugh Logie, 1424 Walnut Street, advised Council that he was a new resident of the area and expressed the hope that the rezoning would allow a development which would not detract from the neighbourhood.
- Mrs. William Smith, 1311 Chestnut Street, suggested that the rezoning proceed only on the condition that the developer begin construction as soon as possible.
- A resident of the area pointed out that no developer who is prepared to construct the buildings which the rezoning would allow was before Council and enquired why the property should be rezoned prior to it being sold.

Cont'd...

Special Council (Public Hearing), May 4, 1978 5

Proposed Rezoning of the Former C.P.R.
Right-of-Way, Kitsilano Point (cont'd)

During the hearing of representations from the public, Mr. R. Youngberg of the Planning Department indicated that the amendments to the Zoning and Development By-law for this rezoning would not receive final adoption by Council until all the conditions attached to the rezoning application are complied with.

MOVED by Ald. Puil

THAT the application of Mr. B.H. Kennedy of Marathon Realty Company Limited for the rezoning of Lots A-H, inclusive, be approved subject to the conditions and restrictions of the Director of Planning as listed on pages 1 and 2 of these minutes.

- CARRIED

(Alderman Rankin opposed.)

MOVED by Ald. Brown

THAT the application of Mr. B.H. Kennedy of Marathon Realty Company Limited for the rezoning of Lots I and J be approved subject to the conditions and restrictions related to the application as listed on pages 2 and 3 of these minutes with the exception that there be two parking spaces per dwelling unit;

FURTHER THAT the amendment to the Sign By-law be approved.

- CARRIED

(Aldermen Puil and Rankin opposed.)

Alderman Harcourt suggested that there be a further report from the Director of Planning in a month or two on the redevelopment of the property and the Deputy Mayor so directed.

MOVED by Ald. Harcourt

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

MOVED by Ald. Harcourt,
SECONDED by Ald. Puil,

THAT the report of the Committee of the Whole be adopted and the Director of Legal Services be instructed to prepare and bring in the necessary amendments to the Zoning and Development By-law and the Sign By-law when the conditions of the Director of Planning on the rezoning have been met.


- CARRIED UNANIMOUSLY

- - - - -

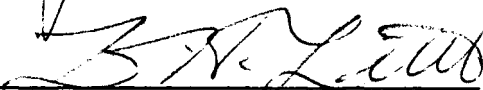
The Special Council adjourned at approximately 9:00 p.m.

- - - - -

The foregoing are Minutes of the Special Council Meeting
(Public Hearing) of May 4, 1978, adopted on May 16, 1978.



MAYOR



CITY CLERK